

J. M. PARKER, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER :

Your Committee on Judiciary, to whom was referred house file No. 255, a bill for an act to repeal section 1455 of chapter 3, title XI of the Code, relating to assessment of damages by township trustees, etc., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the house with the recommendation that it do pass.

J. M. PARKER, *Chairman.*

Ordered passed on file.

HOUSE FILE NO. 255.]

[BY HUTCHISON OF CALHOUN.

## A BILL

FOR AN ACT TO REPEAL SECTION 1455 OF CHAPTER 3, TITLE XI OF THE CODE OF 1873, RELATING TO ASSESSMENT OF DAMAGES BY TOWNSHIP TRUSTEES AND APPEALS THEREFROM, AND TO ENACT A SUBSTITUTE THEREFOR.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That section one

2 thousand four hundred and fifty-five (1455) of chapter three (3), title eleven (XI) of the Code  
3 of 1873, be and the same is hereby repealed, and in lieu thereof the following is enacted as a  
4 substitute:

5     Sec. 1455. The trustees shall make their assessment in writing and file the same with the  
6 township clerk, to be of record in his office. Any person aggrieved by the action of the trus-  
7 tees under this chapter may appeal to the circuit court of the proper county. The bond, with  
8 good and sufficient securities, to be approved by the township clerk, shall be filed with the  
9 clerk of the township in a penalty double the value of the property distrained, or if the value  
10 of the property exceed the amount of the damage claimed, then double the amount of the  
11 damages; and from and after the filing of the appeal bond, the same shall operate as a super-  
12 sedeas. Notice of such appeal shall be given in the same time and manner as in appeals  
13 from a judgment of a justice of the peace. In case the owner of such stock be appellant, the  
14 same shall be delivered to him. The township clerk, after the appeal is taken, shall certify  
15 all the original papers to the clerk of the circuit court within the time prescribed for the  
16 appeal.